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## SPECULATION IN POLITICS.

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AS THE magnetic currents are said to play about the earth, enveloping it in an intricate net-work of living forces, so thought plays about every object of human interest. Thinking minds try to trace out causes and to forecast results. Institutions are scrutinized to ascertain their conformity to principle, or the equity of their operation, and new ones are devised to supplement or to replace the old. As knowledge and experience, the data for final judgment, are variously colored by the thinker's passions and relations to the objects of thought, diverse tendencies arise, resulting in the most important consequences, when thought is translated into action. Some, unswayed by self-interest, yet smitten with love for the naked symmetry of abstract truth, and ignorant, perhaps, of the conditions of a healthy national life, clamor for radical reforms. Others are led by responsibility for the conduct of affairs, or by personal interest, to deprecate change as unjust or dangerous. These opposing tendencies characterize all associate life; the radical reformer constituting the centrifugal and the conservative the centripetal forces, by whose just balance is produced that condition of peaceful activity with progress which Shakspeare felicitously styles "the married calm of states," but the undue preponderance of the one or the other of which results in rash innovation or in retrogression. It is an interesting question, whether the principles and affections constituting at any epoch the animating spirit of these tendencies have any absolute, or only a relative, validity. The historical fact, that in all vigorous national life an onward sweep is apparent, as in some vast orbit, in which the rearmost columns to-day occupy ground yesterday held by those in the advance, their relative positions remaining unchanged, suggests a doubt whether those principles and affections change with them or are permanent. It is our pur-

pose to inquire into the reasonableness of this doubt, an inquiry that involves, in substance, the determination of the proper scope and function of speculation in the life of a people, and especially in its political life.

By speculation is meant the viewing of an object of thought in its causes, in the light of universal or controlling principles. This definition leaves to each mind as well the formulation as the application of these principles. If the object of thought be an existing institution, or a proposed movement in politics or religion, thinkers envelop it, throw upon it the light of science, peer into its origin, its justifying causes, its physical consequences, its tendency to elevate or to lower the standard of national morality, intelligence, or freedom, and report facts and reasons tending to show its folly or its wisdom, upon which society may act. In discharging this function, speculative thinkers do for society what is done for an army on the march by scouts swarming about its front and flanks; those attending the Roman legion were called *speculatores*. While they cover its movements, they spy out the enemy and the preferable lines of advance or retreat, and thus furnish to the commander the facts out of which he may form, in the light of general maxims and his own experience, the plan of his campaign. If the analogy suggested is real, does it extend so far as to justify the inference, that the reports of the *speculatores* of to-day—the theater of the conflict, the number, character, necessities, and purposes of friends and enemies alike changing from hour to hour—can form the basis only of the campaign of to-day?

Considered as a practical force or method, it is the function of speculation, on the one hand, to inaugurate or to resist contemplated changes in the social state, or, on the other, to justify or to discredit changes already accomplished; and it may perform one or more of these offices at the same time. History will, it is believed, confirm this analysis. In respect to that of the ancient peoples who rose and fell before the Christian era, we shall refer to it only to point out a remarkable law apparent in the order in which different forms of government succeeded or grew out of one another. It was as if the various political institutions, with the ideas and maxims cohering to each, sprang out of the soil in a fixed order, from seeds planted by nature; first the patriarchal, then the kingly, then the aristocratic, then the popular or democratic, and then, perhaps, excepting only its

initial step, a repetition of the same order ; as though, in analogy to vegetable growths, each particular form had exhausted the soil of ingredients needed to sustain its life, and left it fit only for some other form lying ready in the laboratory of nature. In other words, ancient history justifies the belief that every form of government is menaced by peculiar dangers and enemies, and that if overcome by them it is likely to lapse into some particular alternative form. Thus, a people wearied of the insignificance and hazards attending the patriarchal constitution, easily passes over into the monarchical; from that, into the aristocratic; and from that into the democratic, etc. The point of chief interest for us is that at each transition speculation furnishes the armories of all parties to strengthen or to overcome the inertia of institutions, and that the weapons employed by each are commonly, under similar conditions, the same.

In modern states the operation of a similar law is observable. Even in the early days of Christianity, when politics and religion were so blended as to obscure the operation of merely political causes, traces of it are distinctly discernible. The antagonism whose issue was at that time to determine the future of existing institutions, was that between imperial Rome, with her inexorable traditions and her waning powers, or between her successors in the temporal order, and Papal Rome, then beginning to throw out the threads of her wide dominion. Which of the two should prevail was only half decided when Constantine founded a Christian empire on the ruins of the Pagan ; for he did little more than substitute one imperialism, thinly varnished with the forms of Christianity, for another, which, although unchristian, had been, so far as the elements of good government were concerned, scarcely inferior to it. There was no longer persecution of Christianity by the state ; but against this must be set off the fact that the church was then first enabled to take its turn at persecution. But, in the main, in her contest with the state, the church was fighting not only for her own existence and that of Christianity, but for the best interests of humanity ; she bore aloft, unconsciously, perhaps, the standard of enfranchisement for the new Europe that was to arise out of the *débris* of Rome, shattered by the Gothic invasions. How was it possible for her whose kingdom was not of this world to break the iron fetters of imperialism, inherited from Rome by the feudal sovereigns ? It could be done only

through the consciences of men; and she did it thus by proclaiming the divine right of the see of Rome to rule as well in political as in spiritual things. That she did so was fortunate for herself and, we think, for civilization, which otherwise could hardly have weathered the storms of the Middle Ages.

Thus was established the divine right of the Pope of Rome to give laws to Europe. But was it a right absolute for all time? As claimed for the Pope, it was but a new divine right set up against an old one; for, according to Roman belief and custom, if not by law, the Cæsars were rulers by divine appointment, and came finally to be worshiped as gods. This worship had passed away. Would a time come when the divine right of the church would be discredited? Her pretensions were put forth gradually, and it was not until the time of the great Popes—Gregory VII., Innocent III., and Boniface VIII.—that they were distinctly promulgated, and, in the confusion and distress then prevailing, widely allowed. By their political alliances, and the Crusades instituted by their astute policy, the Papacy received a vast accession to its temporal power, and the leading princes were enabled to begin that process of absorbing the dominions of their weaker feudatories by which were laid the foundations of the great kingdoms of modern times. The work thus wrought by the church, added to her general services to civilization, is inestimable, whatever may be thought of the dogma of divine right. That dogma had served its purpose; the reign of lawlessness and of national disintegration was verging to an end; and it seemed to the men of that day not unjust that the church, through which this great good had been effected, should sit as sovereign mistress of the bodies as well as the souls of men, to both of which she had brought salvation. So prevalent was this conviction, that one familiar with the history of the Middle Ages need not be reminded of Europe's danger for centuries, of becoming subject, in things temporal as well as spiritual, to a single head. Most Catholic sovereigns, even in England to the time of Henry VIII., reigned rather than governed, the real sway being in the hands of their clerical ministers. Gradually Europe became restive under this yoke, and after the Reformation arose a disposition to shake it off, though in France the dogma was strenuously insisted upon by Sixtus V. and the Guises, at the time of the League under Henry III. Inquiry into the nature of government at length led to the suspicion,

that while the function of governing might be divine, it was not necessarily vested in the head of the church; a function to be discharged in the political order in administering the state, though in its origin divine, might and ought, for the general good, to be intrusted to the king, who in the political order represented its divine author. This conception was in reality founded upon the necessity of transferring to the secular arm a jurisdiction that had proved, when invested in the spiritual head of Christendom, extremely odious and oppressive. To the Tudor sovereigns little speculation was necessary to demonstrate the rightfulness of anything "they were inclined to," or the wrongfulness of whatever "they had no mind to." But, for the English people in general, political necessity must be shown to coincide with moral right before they could act with the requisite zeal and decision. Such demonstration was furnished by the writings of Sir Robert Filmer and of Thomas Hobbes, published during the contest between Charles I. and his Parliament. They demonstrated not only that no divine right to govern inhered in the church, but that the king, and not the Parliament or the nation, as many thought, was by divine right possessed of that function. Filmer maintained that in the beginning God gave supreme authority to Adam, from whom it was transmitted to Noah, and from him to all kings and governors, and that their authority is therefore absolute, and above all human control. Filmer was a man of slender abilities, who would now be forgotten, but for the use made of his name and principles by the English clergy and their Tory allies in the political struggles of the next two reigns. Far superior to Filmer was Thomas Hobbes, one of the greatest thinkers that England has produced. The purpose of Hobbes in his principal work, "*The Leviathan*," was, like that of Filmer, to break down the supremacy of the church, and to establish absolute power in the hands of the English sovereigns. It need not surprise us, therefore, that he roused the bitterest enmity of the English clergy, and that his reputation has suffered from it. Warburton says that the "press of his time sweat with controversy with the philosopher of Malmesbury, every young churchman militant trying his arms in thundering upon Hobbes's steel cap." He taught that absolute authority might be acquired in two ways: one by force, and the other by voluntary transfer, to one or more men, of the right that every man had by nature to govern

himself. The man or body receiving this transfer he styled "The great Leviathan" or "Mortal God," and its power was absolute and irrevocable, no matter of what wrong or injury it might be guilty. In this doctrine was foreshadowed the theory, afterward so celebrated, of the social contract, since Hobbes taught that absolute government might be based upon the agreement of all.

Thus far speculative thinkers had claimed the divine right for a monarch — first the spiritual, and then the temporal. But experience in most of the leading states finally led to the conviction that, although the dogma of the divine right of kings was a useful *succedaneum* to that of the divine right of the clergy, which had become odious, it was even more fruitful of evils, because, with powers far superior to those of pope and curia, kings had, in general, equal ambition and greater vices. Be that as it may, absolute supremacy in both church and king became ultimately intolerable. Then speculation advanced another step; it proceeded to examine the basis upon which absolute kingly power had been made to rest. The result was the propounding of a doctrine destined to displace it, that of the social contract. Whatever we may think of the divine right to govern, a people has certainly, it was argued, a right to be justly and wisely governed, and to compel its rulers so to discharge their function as to subserve this great purpose of civilized life. To this end, in instituting governments, each man contracted with his fellows to forego some of his natural rights, or of what would be his rights if he were living in a state of nature, in return for protection from injury and for a similar surrender by all. As every man was a party to this contract, it was the right of all — divine, if any right is divine — to see to it that the contract was carried out; to compel performance, and to punish violations of it; and when, in the judgment of a majority, kings or other functionaries, however revered for imputed divineness, by misconduct had made impossible the attainment of the ends of government without their removal, it was their right to punish them, even with death. This theory, the result of the speculations of Sidney and Locke, has had extraordinary currency and influence for more than two hundred years. Propounded originally, as we have said, with a view to break the force of the dogma of the divine right of kings, as taught by Filmer in 1648, it was again invoked, after the Revolution of 1688, to justify that

Revolution, in the interest of the Whig party, and against the Jacobites and Tories who sought the restoration of the Stuarts. By the reasonings of those writers, the nation was brought to believe that it was not, as pretended by the enemies of the Revolution, a sin to keep the Stuarts out of their pretended rights. They had plotted with the Papists to destroy the liberties and religion of England. They had been driven into exile by a general revolt of their subjects, and their banishment was a righteous punishment, unless the divine right of kings was a right to commit the most outrageous acts of treason against not only man but God. Thus they justified, after the event, a revolt accomplished, with painful misgivings, by men who had felt in their consciences that rebellion was a sin, but who had been constrained by necessity to commit it.

A hundred years later, the same doctrine was used as a disintegrating force to prepare and to consummate two great revolutions, those of America and France; for, remarkable as it may seem, such vitality had been exhibited by the dogma of the divine right, combated by Locke and Sidney, that to educate Frenchmen and Americans up to the point of rebelling against their sovereigns was the greatest moral difficulty encountered by those revolutions. In France, this was accomplished mainly by the writings of Voltaire and Rousseau, the former directed primarily against *L'infame*, as he denominated Gallican Christianity; the latter against the social order and monarchy of France, rooted in the offensive dogma against which he wrote his celebrated treatise, "*Le Contrat Social*." America received the same doctrine by a double inheritance, from England, the source of all her institutions, and from France, through Rousseau, the source of much of her political theory, as well as of the rhetoric with which she set forth her rights. And yet, so little had the doctrine of the social contract penetrated the hearts of our fathers, at the beginning of our Revolution, that in the Americana of that period are found not a few sermons combating the slavish dogma of the divine right of George III. to rule America, or those of non-resistance and passive obedience, its most offensive corollaries: But when they became convinced that "resistance to tyrants" was not a sin, but "obedience to God," tender consciences yielded to the instinct of freemen to maintain their rights by force of arms, even against their sovereign. Then began "the dreadful night of kings," of



which the poet Barlow sang as casting its baleful shadow over the world at our Revolution; and it has gone on deepening, until most thinkers, perhaps, believe that, if there be a divine right of governing, it is inherent, not in a monarch, but in the living organism called the people; a right to be worked out by them in various forms — aristocratic, democratic, or even monarchical — according to existing conditions. But is this conviction a finality for our race, or does it express only a temporary phase of its political faith, which, as time rolls on, and its unforeseen consequences are developed, may in its turn be renounced as a half-truth or an error?

The particular form of this conviction embodied in the doctrine of the social contract has long since been rejected by thinking minds. Not only is it denied as a fact that men ever did or could contract with one another, as supposed by Locke and Rousseau, but it is maintained that while many of the incidents of the best governments are not inconsistent with the contract theory, others are so, and especially with many of the logical deductions from it. Indeed, since men readily accept inferences that are logically drawn from premises believed to be established, logic is one of the principal sources of danger in political speculation. But conceding to the people, as we know it, the right to govern itself, we ask again, Is the right absolute, and is mankind shut up to that doctrine, or may it modify or renounce it, if occasion should arise? It is conceived that the only absolute right in the case is that of mankind to be well governed. If the early patriarchal form was found insufficient, it had a right to take refuge from it in the monarchical, in the aristocratic, in the democratic, or again in the patriarchal, as its highest wisdom should dictate; and that right it has to-day, and will always have. When its highest wisdom is found, as it often is, in a single mind, it should nevertheless prevail, but only on the condition that it secure acknowledgment as such, and that it prevail through the power of the people itself; for wisdom that cannot secure such recognition and such ascendancy is not, for the time, the highest. We repeat, then, whatever the existing form may be, if it result in injustice or oppression, there is a right in the people to destroy or to reform it in any mode deemed best. Upon this right as a basis will arise, through all time, a succession of political forms as varied as the knowledge, the needs, and the affections of men. Un-

changing institutions could be based only upon perfect knowledge, for by it alone would men's needs be perfectly comprehended, and their affections be self-directed to that only which is the best for all.

We therefore conclude, that the high maxims and principles deduced by speculation from the nature of man, from experience of previous forms of government, and from human needs, are relative and provisional; and that they who build upon them, or upon the deductions that logicians reel off from them, as of absolute validity, build upon the sand. The function of speculation in politics, like that of the prophetic assumption in science, being to furnish a working hypothesis for the guidance of the state, by correlating the fruits of knowledge and experience, the resulting institutions to be and remain flexible to changing conditions, it follows that a speculative dogma in the political sphere, which stiffens into an iron rule, especially if armed with a divine sanction, is an unmixed calamity to mankind. It may seem heresy to maintain that the well-loved forms of constitutional states like ours, or like England's, may be rightfully overthrown; and it would be heresy to counsel their overthrow now, when with some evil there is in their operation a vast preponderance of good; but as there are times when heresy is the true religion, so there are times when treason to one's government may be the only true patriotism. Governments are made for man, not man for governments.

But the question arises, If the products of speculation are relative and provisional, and if greater knowledge and experience may displace them all in turn, is speculation not, therefore, useless or insincere? By no means. Speculation is the effort of imperfect humanity to develop its institutions to conform with its principles, its moral instincts, and its needs, as seen with increased clearness from day to day in the growing light of knowledge. Hence, that may be honestly denounced to-day for which one honestly shed his blood yesterday, and for which, if the conditions change, he may as honestly die to-morrow. All that can be demanded for either sincerity or usefulness is, that the adoption or rejection of truth shall be founded on what appear at the time to be sound reasons.

It would be easy to enforce further, by many examples from political life, the truth of these principles. We shall cite but two. Mr. Herbert Spencer has lately written a scathing ex-

posure of "the sins of legislators," and of the widely prevalent theory, or, as he calls it, superstition, that special preparation is not needed to enable legislators to perform successfully their most important function. Did space permit, it could be demonstrated, that what he affirms to be true of the law-makers of England is equally so of those of America; more than this, that no sin is committed and no superstition cherished by the former, that is not imitated and improved upon by the latter. On this point we shall only say further, that to the superstitions exhibited respecting legislation in England we add others peculiar to our system of free elections, but which, like them, are destined to disappear in the light of greater experience and knowledge. Among these is the superstition that universal suffrage necessarily results in the choice of either able or honest legislators; and the superstition that good laws, whether executed or not, constitute good government. The other example is found in the history of a well-known political theory, formerly very widely held, but by its subsidence now exemplifying the transitoriness of the products of speculation, the theory of State sovereignty. Formerly, that the States were sovereign bodies was by many speculative thinkers considered to be as indisputable as a truth of divine revelation. The past few years, however, have wrought a great change of sentiment, not only in regard to the fact of the sovereignty of the States, but as to what is competent evidence of the fact, and particularly as to the pertinence and evidentiary value of opinion in the discussion of that question. Until of late, they who believed in the sovereignty of the States argued the question upon historical documents and the opinions of the founders and administrators of the American governments. But it is now the better doctrine, that documentary evidence and the judgments of eminent statesmen and magistrates have no power whatever to determine the fact; no more, indeed, than had the dogmas of the school-men to establish the attributes of the divine nature, or than the decrees of the Roman Curia had to disprove the truths of astronomy propounded by Copernicus and Galileo. Sovereignty is a complex fact, involving the simultaneous exercise, by a part or all of an independent people, occupying a determinate territory, of the power and the will to control and govern that territory, irrespective of legal or moral right to do so. As bearing on the *locus* of such a power in fact, therefore, the only competent evidence is the presence or

absence of those elements of control. Indeed, in a national debate upon the question, the logic of facts that must decide it admits of but one incontrovertible syllogism, and that is the exhibition, by one side or the other, of an overwhelming preponderance of civic power and energy, culminating in superior military prowess in the field. A debate, in which this syllogism was used, was lately held in America, and the result was the effectual refutation of the doctrine of State sovereignty. He who agitates the question anew, with a view to reverse that decision, must appeal, not to documents or judicial *dicta*, but to the next war between *soi-disant* sovereign States and the nation.

Such is now the accepted theory of sovereignty in our government,—that it is a power existing in the nation, and not in the States,—because that theory alone seems to accord with the facts. Should these change, future speculators will formulate a new theory to correspond with them, and that now held will be filed away among exploded fallacies.

JOHN A. JAMESON.